

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MISSOURI
AT ST. LOUIS

BRENDA K. WELLS; JUSTIN WELLS;
and WILMA WELLS,

Plaintiffs,

V.

SKYJACK, INC.,

and

BOLZENIUS AND SONS ELECTRIC,
INC., d/b/a BO CO ELECTRICAL &
MECHANICAL, and d/b/a BOCO, INC.,

Defendants.

No.: 4:09CV00382HEA

PROPOSED JUDGMENT

Upon Application of the Plaintiffs, Brenda K. Wells, Justin Wells, and Wilma Wells, for Approval, Apportionment, Allocation of Fault, and Distribution Pursuant to Missouri Revised Statute 537.095, the Court finds that settlement is approved. In exchange, Defendants, Bolzenius and Sons Electric, Inc., d/b/a BOCO Electrical & Mechanical, and d/b/a BOCO, Inc., and Skyjack, Inc., are released, remised, requited, and discharged from any and all claims, counterclaims, causes of action, remedies, damages, liabilities, debts, suits, demands, actions, costs, expenses, fees, controversies, set-offs, and third party actions or proceedings of whatever kind or nature.

The Court further Orders the following:

1. Judgment in favor of Plaintiffs, Brenda K. Wells, Justin Wells, and Wilma Wells in the amount of \$878,000.00 to be distributed as follows:

a. To Plaintiff, Brenda K. Wells, 70% \$365,809.62

- b. To Plaintiff, Wilma Wells, 15% \$78,387.78
- c. To Plaintiff, Justin Wells, 15% \$78,387.78
- d. Taxable costs to be paid by Bolzenius and
Sons Electric, Inc., d/b/a BOCO Electrical &
Mechanical, and d/b/a BOCO, Inc.,
in the amount of \$17,316.85
- e. Attorneys' fees payable to Holland, Groves, Schneller
& Stolze in the amount of \$292,146.51
(Representing 33 1/3% of the amount received)
- f. Expenses necessitated in the recovery and collection
Of this settlement payable to Holland, Groves, Schneller
& Stolze in the amount of \$45,268.31

Based upon the facts presented in the record, fault be allocated to Douglas Wells and his non-party employer, Ozark Fire Protection, in the amount of 85%.

The Court further Orders that Plaintiffs, Brenda K. Wells, Justin Wells, and Wilma Wells, are to:

- a. Collect the payment of settlement;
- b. Acknowledge satisfaction of the settlement; and
- c. Distribute the net proceeds as stated above.

November 10, 2010
Date

[Signature]
JUDGE